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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

VINCENT DANIEL HOPPER, a/k/a Vincent
Daniel Hopper Marks, a/k/a Antolin Andrew
Marks, a/k/a Wayne Rudder,

Plaintiff,

v.

NEIL CLARK, *et al.*,

Defendants.

Case No. C06-5282 RBL/KLS

ORDER ADOPTING REPORT AND
RECOMMENDATION

The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the Report and Recommendation, if any, and the remaining record, does here find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Defendants' motion to dismiss (Dkt. # 12) is **GRANTED** and Plaintiff's Complaint (Dkt. # 5) is **DISMISSED WITH PREJUDICE** as to Defendants Clark, Garman and Melendez;
- (3) This matter shall be re-referred to the Honorable Karen L. Strombom for further proceedings as to the remaining defendants.
- (4) The Clerk is directed to send copies of this Order to Plaintiff, counsel for Defendants and to the Honorable Karen L. Strombom.

DATED this 16th day of February, 2007.


RONALD B. LEIGHTON

UNITED STATES DISTRICT JUDGE